

# EXHIBIT 5

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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,	)	CIVIL NO. 04-00671 HG LEK
	)	
Plaintiff,	)	STIPULATION REGARDING
	)	REINSTATEMENT; ORDER
v.	)	
	)	
MICHAEL CHERTOFF, Secretary,	)	
DEPARTMENT OF HOMELAND	)	
SECURITY,	)	
	)	
Defendant.	)	
	)	
	)	

STIPULATION REGARDING REINSTATEMENT

The Parties hereby stipulate that plaintiff will be reinstated to federal employment as a screening manager at Honolulu International Airport at a salary of \$57,500 per year, as base salary effective by June 8, 2008, in the I band. The purpose of this stipulation is to allow plaintiff to attend retraining beginning June 9, 2008, while the parties to continue evaluate appeal, and continue to litigate and discuss settlement

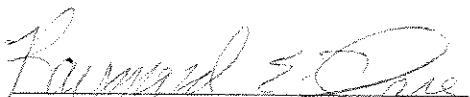
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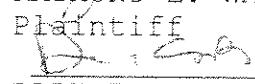
of all equitable relief issues. Defendant retains any right it may have to object to permanent reinstatement if plaintiff fails a security background check.

DATED: \_\_\_\_\_, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii



RAYMOND E. WARE  
Plaintiff



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DAPHNE E. BARBEE  
Attorney for Plaintiff

By \_\_\_\_\_  
THOMAS A. HELPER  
Attorney U.S. Attorney  
Attorneys for Defendant

APPROVED AND SO ORDERED:

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LESLIE E. KOBAYASHI  
United States Magistrate Judge

Raymond Ware v. Michael Chertoff; Civil No. 04-00671 HG LEK  
STIPULATION REGARDING REINSTATEMENT; ORDER